

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING: October 13, 1971

Appeal No. 10947 Mrs. Sophie Diavatis, Appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, Appellee.

On motion duly made, seconded and carried with Messrs. Mackey and Scrivener absent, the following Order of the Board was entered at the meeting of October 19, 1971.

EFFECTIVE DATE OF ORDER: December 3, 1971

ORDERED:

That the appeal for variance from the requirements of Section 7201.3 to permit waiver of one (1) parking space at 704 New Jersey Avenue, N.W., lot 819, Square 565, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in a C-3-B District.
2. The property is improved with a 3-story brick building which was previously used as a theater advertising agency and residence.
3. The appellant at the public hearing amended her application to permit waiver of two (2) parking spaces instead of the one previously requested.
4. Appellant stated that the effect of the granting of the variance would allow utilization of the second floor as a vestibule.
5. There will be no utilization of the third floor.
6. Appellant stated that there is no space in the rear of the building for parking with the exception of an old garage which they intend to build over and combine to make one building.
7. The far majority of the clientele for this restaurant as stated by the appellant will be the students of the Georgetown University Law School and the faculty.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

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Further we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

GEORGE A. GROGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.